

REMARKS

The Applicant has amended Claim 2.

REJECTIONS OF THE CLAIMS – Part 1

The Examiner has rejected independent Claim 1 and dependent Claims 3-8 and 12-18 under 35 U.S.C. §102(e) as being anticipated by the South reference (US 6,845,904), rejected dependent Claim 2 under 35 U.S.C. §103 as being obvious in light of the South reference, and rejected dependent Claims 9-11 under 35 U.S.C. §103 as being obvious in light of the South reference and the Felice reference (US 2003-0136823). The Examiner has also listed the Klima reference (US 2003-0205614) as prior art.

The Applicant submits the attached Declaration of the Inventors Under 37 C.F.R. §1.131. The Declaration evidences the conception and reduction to practice of the subject matter of independent Claim 1 before 06 MAY 2002, which predates the filing dates of the South reference (26 JUN 2002), the Felice reference (04 DEC 2002), and the Klima reference (06 MAY 2002). Note the resemblance of the photographs in Appendix A to FIGURES 1 and 2.

Thus, the Applicant respectfully asserts that the South reference, the Felice reference, and the Klima reference are not prior art under 35 U.S.C. §102(e) or 35 U.S.C. §103 and the Applicant respectfully requests that the Examiner reconsider and withdraw these rejections.

REJECTIONS OF THE CLAIMS – Part 2

The Examiner has rejected Claim 2 under 35 U.S.C. §103 as being obvious in light of the South reference. For the reasons above, the Applicant asserts above, the South reference is not prior art under 35 U.S.C. §103. Additionally, the Applicant has amended Claim 2 and asserts that the South reference does not teach or suggest every element of amended Claim 2.

In particular, the references do not teach or suggest the “wherein the primary section and the

secondary section are integrally connected as one unit.” As best explained by the Examiner, the South reference discloses, “the primary and secondary sections are separately formed and later joined as opposed to being integrally formed as one unit.” With the original Claim 2, the Applicant was not claiming the process or a product-by-process, but rather an attribute of the physical connection between the primary section and the secondary section. The Applicant has amended Claim 2 to clarify this position.

The Applicant asserts that the integral connection of amended Claim 2, while not “critical” for the mailbox, does provide a significant advantage. If the primary section and the secondary section were separately formed and later joined (as taught by the South reference), then the two sections could separate and allow rain or melted snow to enter and damage the contents of the mailbox. In contrast, if the primary section and the secondary section were integrally connected (e.g., by the process of US 5,464,107), then the two sections will better protect the contents of the mailbox against the elements.

For these reasons, the Applicant respectfully requests that the Examiner reconsider and withdraw this rejection under §103.

CONCLUSION

In view of the preceding amendments and remarks, the Applicant respectfully submit that all of the claims are now in condition for allowance. If the Examiner believes that personal contact would be advantageous to the disposition of this case, the Applicant respectfully requests that the Examiner contacts the Attorney of the Applicant at the earliest convenience of the Examiner.

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Respectfully submitted,

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